

# **EXHIBIT H**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to:  <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

**DECLARATION OF SHARRON L. CLEMONS**

I, SHARRON L. CLEMONS, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1 I am more than 18 years of age and competent to testify in Court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached as **Exhibit A** to this Declaration are true and correct copies of my (1) U.S. Passport, and (2) Birth Certificate as proof of citizenship.

3. On September 11, 2001, I was in the Court Street area of Downtown Brooklyn. I arrived in this area around 8:45 a.m. I was in the area on personal errands. I had scheduled a personal day off from my job at Praxis Housing Initiatives Inc. ("Praxis"), located at 17 Battery Place in lower Manhattan.

4. At approximately 8:50 a.m., I noticed a yellowish white cloud quickly rising over lower Manhattan, along with a number of emergency vehicles with sirens and flashing lights

traveling towards lower Manhattan. I tuned in to news radio and learned that an airplane had crashed into one of the World Trade Center Towers.

5. As a manager in the Praxis organization, I was one of several employees on-call at all times, via an agency issued Nextel walkie-talkie phone. I attempted to phone the Praxis Main Office and could not get through on the Nextel phone, my personal cell phone, or a street pay phone. I also attempted to phone other Praxis sites, but also could not get through, using the Nextel phone, my personal cell phone, or a pay phone.

6. With the phones in lower Manhattan apparently out of service, I determined this was an emergency situation where I should at least stop in at the Main Office to ask if my assistance was needed. I entered the subway station at Court Street and took an R train to the Rector Street Station in lower Manhattan. I entered the subway around 9:00 a.m., and arrived at the Rector Street Station a little before 9:15 a.m.

7 I exited the station by climbing up the stairs to the sidewalk. Once on the sidewalk, I joined others in staring up with amazement at the World Trade Center towers, with the second tower now also hit with thick smoke billowing out, and an acrid smell permeating the air where we stood.

8. It was apparent that I needed to move quickly on to the Praxis Main Office, or get back on the train and go to the Praxis 36th Street Midtown site, The Hotel Barbour. I decided that I should try to get to the Main Office.

9. I stepped away from the crowd and cut across a large subway grating in route to the curb at the intersection. Suddenly, I felt the subway grating creaking and giving way. I tried to grab hold of and hang onto the edges of the grate as I fell through, spraining my left thumb and scraping the insides of both of my arms. I fell approximately 20 feet down to the subway platform below the sidewalk, hitting the cement platform left foot first, and falling flat on my back.

10. Two men hurried over to where I had fallen onto the platform to see if I was alright. I could move all my limbs and fingers and toes. I thought I might have badly sprained my left ankle, and I also thought that I may have pulled a muscle in my back because it ached as well. The two men assisted me onto an arriving uptown train.

11. I decided to take the arriving uptown train because it was the most expedient way out of the area and it would take me to the 34th Street stop, a few blocks from the Praxis 36th Street site, the Hotel Barbour located at 330 W 34th Street.

12. I planned to report in at the Hotel Barbour and use the phone to call my doctor to make arrangements to be seen to evaluate my injuries. In addition, St. Vincent's Hospital operated a small walk-in satellite clinic out of the Hotel Barbour and the doctor and nurses would probably be able to assist me as well in getting treatment for my injuries.

13. I was assisted off the train on to the 34th Street platform by fellow passengers at approximately 9:25 a.m. I was assisted up the one flight of ten steps to the Mezzanine level. There I again attempted to phone the Hotel Barbour, but could not get through.

14. Passengers entering the station told me and the passengers who were assisting me that I would be better off trying to get beyond the Midtown area because it was becoming increasingly chaotic outside. I was also beginning to feel a lot more pain from my injuries.

15. I decided to hobble over to the downtown F train platform, near where I was standing, with the assistance of another fellow passenger, and take the F train back to Brooklyn. The F train does not pass through the World Trade Center area on the way to Brooklyn, and I could take car service from the train to Coney Island Hospital or a clinic nearer to my apartment to see a medical provider. I boarded a Brooklyn Bound F train a little before 9:40 a.m. I was given a seat by a passenger right next to the door of the train.



16. On the F train to Brooklyn the passengers were discussing the attack and the possibility that another attack might happen in the subway as well. I became fearful, my pain continued to increase, and it was becoming more difficult to maintain mental alertness. I decided to exit at the first above-ground station in Brooklyn, to try to get car service (a taxi) to take me to the nearest clinic or hospital for treatment. My fellow passengers told me they thought that was a better plan than trying to go all the way to Coney Island — a very long trip.

17 The first above-ground subway station in Brooklyn was at Smith and 9th Street. I exited the train at that station around 10:00 a.m., again with the assistance of fellow passengers. I collapsed to the platform, exhausted and in ever-increasing pain, almost passing out. An MTA worker came over and asked what happened. I was scraped up, dirty, and my clothes torn from my fall at Rector Street.

18. The MTA worker evidently contacted 911 for assistance. Firefighters from the New York Fire Department arrived and briefly examined me. They decided to fasten me onto an orange plastic board and carry me down to the street. The station escalator was out, and they had discussed with a supervisor the idea carrying me onto the next train in order to take me to a station that was easier to exit. They decided to not put me back on the subway because the subway could go out or be attacked at any time in the increasingly unpredictable circumstances, that it would be much safer to carry me down to the street at this station.

19. After the firefighters carried me to street level, I was briefly examined by the EMS ambulance team. They added a foam collar around my neck, called in my vital signs to the hospital, loaded me into the ambulance and took me to the hospital.

20. At the emergency room I was admitted immediately. They told me that I had been seriously injured and that I should not try to sit up or move around. After my initial examination

they placed me in a bed on an empty floor they had cleared out for remodeling. I could not sit up, but the staff who were with me reported that the second tower had just fallen, and they described the view of that from my window. A social worker came to see me, and I asked her to try to contact my job to let them know where I was, and to contact my father and stepmother and my roommate to let them know that I was in the hospital, but would be alright.

21. As a result of the September 11, 2001 terrorist attacks, on that same day I suffered the following specific physical injuries, among others: burst fracture / compression of the L1 vertebral body, at the anterior aspect; mid-foot dislocation, left foot; and pilon fracture, left foot.

22. As a result of the September 11, 2001 terrorist attacks, I suffer from and have been medically diagnosed as having: Post Traumatic Stress Disorder ("PTSD") and Major Depression secondary to orthopedic surgery. As a result of my injuries and experiences on September 11, 2001, I suffered, and continue to suffer, severe emotional distress as a result of the above terrorist attacks. I suffered and continue to suffer from anxiety and bouts of depression due to the traumatic events of these terrorist attacks.

23. As noted above, I sought medical attention for my physical and psychological injuries. Attached as **Exhibit B** to this Declaration are true and correct copies of my medical records related to the treatment I received for my physical injuries following the September 11, 2001 terrorist attacks. Attached as **Exhibit C** to this Declaration are true and correct copies of my medical records regarding my psychological injuries and treatment.

24. I previously pursued a claim (Claim Number VCF0000785) through the September 11<sup>th</sup> Victim Compensation Fund of 2001, as reactivated and reopened in 2011 ("VCF2"), specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

**I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.**

DATED this 23rd day of January 2020.

  
Sharron L. Clemons

# **Exhibits Filed Under Seal**